

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION**

UNITED STATES OF AMERICA

v.

TIMOTHY JERMAINE PATE,

Defendant.

CASE NO.: 1:18-cr-45

ORDER

This matter is before the Court on Defendant's Motion to Withdraw as Attorney by Justin D. Maines. Doc. 53. The Court conducted Defendant's arraignment on the superseding indictment in this case on July 8, 2019. At the arraignment, the Court addressed Mr. Maines's Motion to Withdraw as Attorney which was filed just prior to the hearing. In support of the Motion to Withdraw, Mr. Maines explained that Mr. Pate expressed the desire to represent himself in this case during a meeting between Mr. Maines and Mr. Pate. As it has before, the Court again informed Mr. Pate that in order for him to represent himself in this case, the Court must conduct a hearing in accordance with Faretta v. California, 422 U.S. 806 (1975) to determine whether his decision is knowing, voluntary, and intelligent. The Court attempted to conduct the Faretta hearing, but Mr. Pate was uncooperative and quarrelsome, and he refused to participate. Therefore, the Court **DENIES** Defendant's Motion to Withdraw as Attorney. Justin D. Maines will remain appointed counsel for Defendant.

SO ORDERED, this 10th day of July, 2019.

A handwritten signature in blue ink, appearing to read 'B. Cheesbro', written over a horizontal line.

BENJAMIN W. CHEESBRO
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA